

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 PM-04 H-01 INR-07 L-03 NSC-05 PA-01

PRS-01 SP-02 SS-15 OMB-01 /053 W

-----091242Z 108953 /20

O R 091140Z FEB 77

FM AMEMBASSY MADRID

TO SECSTATE WASHDC IMMEDIATE 8936

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

USMISSION NATO

USEC BRUSSELS

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E.O.11652: N/A

TAGS: PINT, SP

SUBJECT: PARTIES ON THE WAY TO LEGALIZATION ABOLITION OF THE
"WINDOW"

REF: MADRID 977,1026

1. AS ANTICIPATED BY REFELS, THE COUNCIL OF MINISTERS
LAST NIGHT PROPOSED A DECREE LAW WHICH WOULD ABOLISH
THE CONTROVERSIAL POLITICAL PARTY REGISTRATION PROCESS
(" VENTANILLA" OR WINDOW) ESTABLISHED BY THE OLD ARIAS
GOVERNMENT AND REPLACE IT WITH A PURELY ADMINISTRATIVE
JUDICIAL PROCEEDING. IN A FORMALITY THE KING MUST NOW
APPROVE THE LAW.

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2. THE OFFICIAL NOTICE SAID THE DECREE LAW WAS PROPOSED
"IN ORDER TO STRENGTHEN JUDICIAL GUARANTEES IN THE
EXERCISE OF THE RIGHT OF POLITICAL ASSOCIATION".
THE PRESS, NOT WITHOUT SOME SIGN OF CAUTION, HAS
TAKEN THE MEASURES TO MEAN THE END OF THE "VENTANILLA"
I.E. FORMAL AND SPECIFIC GOVERNMENT APPROVAL OF

POLITICAL PARTIES' REQUESTS FOR REGISTRATION.

3. "IN ESSENCE", CONTAINED THE OFFICIAL NOTICE. THE NEW LAW MEANS LEAVING WITHOUT EFFECT THE CURRENT GOVERNMENTAL POWERS TO DENY THE REGISTRATION OF POLITICAL ASSOCIATIONS AND TO IMPOSE FINANCIAL SANCTIONS ON THEM. SUCH POWERS WILL IN THE FUTURE BELONG TO THE COMPETENT PART OF THE SUPREME COURT. WITH REGARD TO THE REGISTRATION OF POLITICAL ASSOCIATIONS, A SUMMARY PROCEDURE IS ESTABLISHED WHEREBY, WITHIN A TIME LIMIT OF TEN DAYS. EITHER THE REGISTRATION IS CARRIED OUT OR THE DOCUMENTATION IS REFERRED TO THE SUPREME COURT".

4. FURTHER DETAILS OF THE PROCEDURE ARE NOT YET AVAILABLE I.E. EARLY REPORTS INDICATE NO TIME LIMITS FOR THE JUDICIAL REVIEW PROCESS, THOUGH THERE IS A RUMOR THAT A 30 DAY TIME LIMIT MIGHT BE SET. WHICH WOULD MEAN IF IT OCCURED THAT JUDICIAL REVIEW WOULD HAVE TO TAKE PLACE IN TIME FOR THE OFFICIAL ELECTORAL CAMPAIGN.

5. COMMENT: THIS SWITCH FROM "HARD WINDOW" TO SOFT WINDOW" IS RIGHTLY VIEWED ACROSS THE POLITICAL SPECTRUM AS A POSITIVE ACT AND SHOULD OPEN THE DOOR TO THE RAPID LEGALIZATION OF ALL MAJOR PARTIES WITH THE LIKELY EXCEPTION OF THE PCE WHICH MAY FIND ITSELF MIRED IN A LENGTHY JUDICIAL PROCEEDING. THE PRESS HAS GIVEN THE PROPOSED DECREE LAW FAVORABLE COVERAGE THOUGH RESERVING A TOUCH OF DOUBT UNTIL THE DETAILS LIMITED OFFICIAL USE

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ARE KNOWN. ACCORDING TO MADRID'S "EL PAIS" PCE LEADER SIMON SANCHEZ MONTERO LAST NIGHT CHARACTERIZED THE GOVERNMENT'S ACTION AS "VERY POSITIVE". UNLESS THERE ARE SOME HITCHES WE EXPECT A RUSH TO LEGALIZATION AS SOON AS THE PARTIES FIND OUT WHERE THE "SOFT WINDOW " IS LOCATED. STABLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, POLITICAL PARTIES
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MADRID01031
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770046-0300
Format: TEL
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770259/aaaabzxx.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 25dd18c9-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 MADRID 977
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3366781
Secure: OPEN
Status: NATIVE
Subject: PARTIES ON THE WAY TO LEGALIZATION ABOLITION OF THE "WINDOW"
TAGS: PINT, SP
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/25dd18c9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009